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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,815	01/25/2002	Antonio Rufus Uranga	10016600-1	3397

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EXAMINER

YUN, EUGENE

ART UNIT

PAPER NUMBER

2682

DATE MAILED: 11/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/056,815	URANGA, ANTONIO RUFUS	
	<b>Examiner</b>	<b>Art Unit</b>	
	Eugene Yun	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1 and 3-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1 and 3-22 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 25 January 2002 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/2/2005 has been entered.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1, 3-5 and 16-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Hagiwara et al. (US 6,944,428)

Referring to Claim 1, Hagiwara teaches a printing device 4 (fig. 1), comprising:  
a connector configured to communicate with a network (see col. 13, lines 36-42);  
and

a controller configured to communicate with the connector, the controller being configured to determine an error status during an operation of the printing device and to cause a message to be transmitted using a telephone call over a telephone network (see col. 13, lines 36-42) to a mobile device based on the error status (see col. 19, lines 31-36).

Referring to Claim 16, Hagiwara teaches a method for establishing a communication path between a printing device 4 (fig. 1) and a mobile device 20a-20c (fig. 2), the method comprising:

Causing the printing device to determine an operating status of the printing device (see col. 19, lines 31-36); and

Causing the printing device to generate a signal, as a function of the operating status, for causing the communication path to be established (see col. 19, lines 31-36) between the printing device and the mobile device by transmitting a telephone call to the mobile device over a telephone network (see col. 13, lines 36-42).

Referring to Claim 3, Hagiwara also teaches receiving input signals including signals for causing an output to be generated, the printing device further including:  
means for generating the output (see col. 19, lines 31-36).

Referring to Claim 4, Hagiwara also teaches a printing component (see col. 10, lines 1-10).

Referring to Claim 5, Hagiwara also teaches the controller generating output signals for establishing a communication path with the mobile device as a function of respective operating statuses of at least one of the means for generating the output and the controller (see col. 7, lines 39-55).

Referring to Claim 17, Hagiwara also teaches the operating status indicating an error within the printing device, generating the signal for causing the communication path to be established (see col. 20, lines 16-37).

Referring to Claim 18, Hagiwara also teaches transmitting the signal from the printing device to the mobile device via a gateway (see col. 13, lines 36-49); and

Within the gateway, ensuring the signal is in at least one of a de-packetized format and an analog format (see col. 13, lines 36-49).

Referring to Claim 19, Hagiwara also teaches transmitting a second signal from the mobile device to the printing device via the gateway (see col. 19, lines 49-55).

Referring to Claim 20, Hagiwara also teaches ensuring the signal is in at least one of a packetized format and a digital format (see col. 19, lines 49-55).

Referring to Claim 21, Hagiwara teaches a printing device configured to generate print output, the printing device comprising:

A controller configured to cause a telephone call to be transmitted to a mobile phone (see col. 13, lines 36-42) in response to an error status that occurs during operation of the printing device (see col. 19, lines 31-36).

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hagiwara in view of Kim (US 2001/0031043).

Referring to Claim 6, Hagiwara teaches a format of a portion of the controller output signals as at least one of a) packetized and b) digital (see col. 18, lines 43-47). Hagiwara does not teach any of the portion of the controller output signals in the packetized format are converted to a de-packetized format for establishing the communication path between the controller and the mobile device; and

any of the portion of the controller output signals in the digital format are converted to an analog format for establishing the communication path between the controller and the mobile device.

Kim teaches any of the portion of the controller output signals in the packetized format are converted to a de-packetized format for establishing the communication path between the controller and the mobile device (see paragraph (0066)); and

any of the portion of the controller output signals in the digital format are converted to an analog format for establishing the communication path between the controller and the mobile device (see paragraph (0060)). Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Kim to said device of Hagiwara in order to better ensure that there is no wireless miscommunication between the two devices.

Referring to Claim 7, Kim also teaches the portion of the controller output signals in the packetized format are converted to the de-packetized format (see paragraph (0066)) and the portion of the controller output signals in the digital format are converted to the analog format in a gateway communicating with the network (see paragraph (0060)).

Referring to Claim 8, Hagiwara also teaches the controller configured to receive input signals from the mobile device via a communication path (see col. 19, lines 49-55).

Referring to Claim 9, Kim also teaches any of the portion of the controller input signals transmitted from the mobile device in a de-packetized format are converted to a packetized format before being received by the controller (see paragraph (0066));

any of the portion of the controller input signals transmitted from the mobile device in an analog format are converted to a digital format before being received by the controller (see Claim 3).

Referring to Claim 10, Kim also teaches the portion of the controller input signals are received from the mobile device via a gateway (see paragraph (0060)).

4. Claims 11-15, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hagiwara in view of Borella et al. (US 6,697,354).

Referring to Claim 11, Hagiwara teaches a computer program product comprising a computer readable medium comprising:

Computer readable program code means operable within a peripheral device for causing a communication path to be established between the peripheral device 4 (fig. 1) and a mobile device 20a-20c (fig. 2) via a gateway (see col. 13, lines 36-42) in response to an operating status of the peripheral device (see col. 19, lines 31-36);

Computer readable program code means for determining the operating status of the peripheral device (see col. 19, lines 31-36); and

Computer readable program code means for generating a signal, as a function of the operating status of the peripheral device, for causing the communication path to be established to allow messages to be transmitted between the peripheral device and the mobile device (see col. 19, lines 39-55).

Hagiwara does not teach the communication path including a path from the peripheral device to a local area network, to the gateway, to a public switched telephone network, and to the mobile device. Borella teaches the communication path including a path from the peripheral device 16 (fig. 1) to a local area network 12 (fig. 1), to the gateway 40 (fig. 1), to a public switched telephone network 32 (fig. 1), and to the mobile device (see col. 6, lines 2-15). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Borella to said device

of Hagiwara in order to provide a more secure and dependable communication path between the two devices.

Referring to Claim 12, Hagiwara also teaches the operating status of the peripheral device is one of "error" and "no-error", and if the operating status is "error" the computer readable program code means generates the signal for causing the communication path to be established (see col. 19, lines 31-36).

Referring to Claim 13, Hagiwara also teaches the computer readable program code means generates the signal having at least one of a packetized format and a digital format (see col. 18, lines 43-47).

Referring to Claim 14, Hagiwara also teaches the gateway ensuring the signal is in a de-packetized format and an analog format; and the computer readable program code means generates the signal to include a mobile device identifier (see col. 19, lines 49-55).

Referring to Claim 15, Hagiwara also teaches computer readable program code means for interpreting a signal received from the mobile device (see col. 19, lines 49-55).

Referring to Claim 22, Hagiwara also teaches computer readable program means for generating a signal configured to allow messages to be transmitted between the peripheral device and the mobile device over a telephone network using a telephone call to the mobile device (see col. 13, lines 36-42).

***Response to Arguments***

5. Applicant's arguments with respect to claims 1 and 3-22 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (571) 272-7860. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Quochien Vuong can be reached on (571)272-7902. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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